

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
TWIN SECURITIES, INC., et al.,

Plaintiffs,

-against-

AMERICAN REALTY CAPITAL PROPERTIES,
et al.,

Defendants.
----- X

:
: **ORDER DENYING**
: **PLAINTIFFS' MOTION**
: **FOR PARTIAL SUMMARY**
: **JUDGMENT**
:
:

:
: 15 Civ. 1291 (AKH)
:
:

----- X
HG VORA SPECIAL OPPORTUNITIES
MASTER FUND, LTD.,

Plaintiffs,

-against-

AMERICAN REALTY CAPITAL PROPERTIES,
et al.,

Defendants.
----- X

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: 15 Civ. 4107 (AKH)
:
:

----- X
BLACKROCK ACS US EQUITY TRACKER
FUND, et al.,

Plaintiffs,

-against-

AMERICAN REALTY CAPITAL PROPERTIES,
et al.,

Defendants.
----- X

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: 15 Civ. 8464 (AKH)
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:

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ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/12/2018

PIMCO FUNDS: PIMCO DIVERSIFIED	:	
INCOME FUND, et al.,	:	
	:	
Plaintiffs,	:	
	:	15 Civ. 8466 (AKH)
-against-	:	
	:	
AMERICAN REALTY CAPITAL PROPERTIES,	:	
et al.,	:	
	:	
Defendants.	:	
-----		X
CLEARLINE CAPITAL PARTNERS LP, et al.,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	15 Civ. 8467 (AKH)
	:	
AMERICAN REALTY CAPITAL PROPERTIES,	:	
et al.,	:	
	:	
Defendants.	:	
-----		X
PENTWATER EQUITY OPPORTUNITIES	:	
MASTER FUND LTD, et al.,	:	
	:	
Plaintiffs,	:	
	:	15 Civ. 8510 (AKH)
-against-	:	
	:	
AMERICAN REALTY CAPITAL PROPERTIES,	:	
et al.,	:	
	:	
Defendants.	:	
-----		X

ETON PARK FUND, L.P. and ETON PARK
MASTER FUND, LTD,

Plaintiffs,

-against-

AMERICAN REALTY CAPITAL PROPERTIES,
et al.,

Defendants.

16 Civ. 9393 (AKH)

RELIANCE STANDARD LIFE INSURANCE
COMPANY, et al.,

Plaintiffs,

-against-

AMERICAN REALTY CAPITAL PROPERTIES,
et al.,

Defendants.

17 Civ. 2796 (AKH)

JET CAPITAL MASTER FUND, L.P., et al.,

Plaintiffs,

-against-

AMERICAN REALTY CAPITAL PROPERTIES,
et al.,

Defendants.

15 Civ. 307 (AKH)

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ARCHER CAPITAL MASTER FUND, L.P., et al.,	:	
	:	
Plaintiffs,	:	
	:	16 Civ. 5471 (AKH)
-against-	:	
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AMERICAN REALTY CAPITAL PROPERTIES,	:	
et al.,	:	
	:	
Defendants.	:	
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ATLAS MASTER FUND, LTD., et al.,	:	
	:	
Plaintiffs,	:	
	:	16 Civ. 5475 (AKH)
-against-	:	
	:	
AMERICAN REALTY CAPITAL PROPERTIES,	:	
et al.,	:	
	:	
Defendants.	:	
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FIR TREE CAPITAL OPPORTUNITY MASTER	:	
FUND, L.P., et al.,	:	
	:	
Plaintiffs,	:	
	:	17 Civ. 4975 (AKH)
-against-	:	
	:	
AMERICAN REALTY CAPITAL PROPERTIES,	:	
et al.,	:	
	:	
Defendants.	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

Plaintiffs' motion for partial summary judgment is denied with leave to refile at the close of discovery. The motion is premature in the context of the related litigation. Granting plaintiffs' motion would not fully resolve any claim, remove any defendant, or advance the

litigation in any meaningful way that plaintiffs have articulated. Identical issues are still being litigated by the class plaintiffs, and considering the motion will invite piecemeal motion practice, wasting the parties' and the Court's resources. The clerk shall terminate the motion (ECF 158). The oral argument, currently scheduled for July 24, 2018, is cancelled.

SO ORDERED.

Dated: July 12, 2018
New York, New York

A handwritten signature in black ink, appearing to read "Alvin K. Hellerstein", written over a horizontal line.

ALVIN K. HELLERSTEIN
United States District Judge